Yes, The FTC Wants You To Think The Internet Is The Enemy To The Great American Family

Free Speech

from the *moral-panic-needs-a-morality-play* dept

Tue, Jun 17th 2025 03:41pm - **Elizabeth Grossman** and **Jess Miers**

This is a combo piece with the first half written by law student Elizabeth Grossman about her take on the recent FTC moral panic about the internet, and the second part being some additional commentary and notes from her professor, Jess Miers.

The FTC is fanning the flames of a moral panic. On June 4, 2025, the Commission held a workshop called ***The Attention Economy: How Big Tech Firms Exploit Children and Hurt Families***. I attended virtually from the second panel until the end of the day. Panelists discussed how the FTC could "help" parents, age verification as the "future," and "what can be done outside of Washington DC." But the workshop's true goal was to reduce the Internet to only content approved by the Christian Right, regardless of the Constitution—or the citizens of the United States.

Claim #1: The FTC Should Prevent Minors From Using App Stores and Support Age Verification Laws

FTC panelists argued that because minors lack the legal capacity to contract, app stores must obtain parental consent before allowing them to create accounts or access services. That, in turn, requires age verification to determine who is eligible. This contractual framing isn't new—but it attempts to sidestep a well-established constitutional concern: that mandatory age verification can burden access to lawful speech. In *Brown v. Entertainment Merchants Association*, the Supreme Court reaffirmed minors' rights to access protected content, while *Reno v. ACLU* struck down ID requirements that chilled adult access to speech. Today, state-level attempts to mandate age verification across the Internet have repeatedly failed on First Amendment grounds.

But by recasting the issue as a matter of contract formation rather than speech, proponents seek to sidestep those constitutional questions. This is the same argument at the heart of ***Paxton v. Free Speech Coalition***, a case the FTC appears to be watching closely. FTC staff repeatedly described a ruling in favor of Texas as a "good ruling," while suggesting a decision siding with the Free Speech Coalition would run "against" the agency's interests. The case challenges Texas' H.B. 1181, which mandates age verification for adult content sites.

The FTC now insists that age verification isn't about restricting access to content, but about ensuring platforms only contract with legal adults. But this rationale **collapses under scrutiny.** Minors can enter into contracts—the legal question is whether and when they can disaffirm them. The broader fallacy about minors' contractual incapacity aside, courts have repeatedly rejected similar logic. Most recently, ***NetChoice v. Yost*** reaffirmed that age verification mandates can still violate the First Amendment, no matter how creatively they're framed. In other words, there is no contract law exception to the First Amendment.

Claim #2: Chatbots Are Dangerous To Minors

The panel's concerns over minors using chatbots to access adult content felt like a reboot of the violent video game panic. Jake Denton, Chief Technology Officer of the FTC, delivered an unsubstantiated tirade about an Elsa-themed chatbot allegedly engaging in sexual conversations with children, but offered no evidence to support the claim. In practice, inappropriate outputs from chatbots like those on Character.AI generally occur only when users—minors or adults—intentionally steer the conversation in that direction.

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Even then, the platform enforces **clear usage policies** and deploys guardrails to keep bots within fictional contexts and prevent unintended interactions.

Yes, teens will test boundaries, as they always have, but that doesn't eliminate their constitutional rights. As the Supreme Court held in *Brown v. Entertainment Merchants Association*, minors have a protected right to access legal expressive content. Then, it was video games. Today, it's chatbots.

FTC Commissioner Melissa Holyoak adopted a more cautious tone, suggesting further study before regulation. But even then, the agency failed to offer meaningful evidence that chatbots pose widespread or novel harm to justify sweeping intervention.

Claim #3: Pornography is Not Protected Speech

Several panelists called for pornography to be stripped of First Amendment protection and for online pornography providers to be denied Section 230 immunity. Joseph Kohm, of Family Policy Alliance, in particular, delivered a barrage of inflammatory claims, including: "No one can tell me with any seriousness that the Founders had pornography in mind […] those cases were wrongly decided. We can chip away […] it is harmful." He added that "right-minded people have been looking for pushback against the influence of technology and pornography," and went so far as to accuse unnamed "elites" of wanting children to access pornography, without offering a shred of evidence.

Of course, pornography predates the Constitution, and the Founders drafted the First Amendment to forbid the government from regulating speech, not just the speech it finds moral or comfortable. Courts have consistently held that **pornography, including online adult content, is protected expression under the First Amendment.** Whether panelists find that inconvenient or not, it is not the FTC's role to re-litigate settled constitutional precedent, much less redraw the boundaries of our most fundamental rights.

During the final panel, Dr. Mehan said that pornography "is nothing to do with the glorious right of speech and we have to get the slowest of us, i.e. judges to see it as well." He succeeds in disrespecting a profession he is not a part of and misunderstanding the law in one foul swoop. He also said "boys are lustful" because of pornography and "girls are vain" because of social media. Blatant misogyny aside, it's absurd to blame social media for "lust" and "vanity"–after all, Shakespeare was writing about them long before XXX videos and Instagram—and even if it weren't, teenage lust is not a problem for the government to solve.

Panelist **Terry Schilling** from the American Principles Project—**known for his vehemently anti-LGBT positions**—called for stripping Section 230 protections from pornography sites that fail to implement age verification. As discussed, the proposal not only contradicts longstanding First Amendment precedent but also reveals a fundamental misunderstanding of what Section 230 does and whom it protects.

Claim #4: The Internet Is Bad For Minors

FTC Commissioner Mark Meador compared Big Tech to Big Tobacco and said that letting children on the Internet is like dropping children off in the red light district. "This is not what congress envisioned," he said, "when enacting Section 230." Commissioner Melissa Holyoak similarly blamed social media for the rise in depression and anxiety diagnoses in minors. Yet, as **numerous studies on social media and mental health have consistently demonstrated**, this rise stems from **a complex mix of factors**—not social media.

Bizarrely, Dr. Mehan noted "Powerpoints," he said, "are ruining the humanities." And he compared online or text communication to home invasion: if his daughter was talking on the phone to a boy at 11 o'clock at night, he said, that boy would be invading his home.

This alarmist narrative ignores both the many **benefits of Internet access for minors** and the real harms of cutting them off. For young people, especially LGBTQ youth in unsupportive environments or those with niche interests, online spaces can be essential sources of community, affirmation, and safety. Just as importantly, not all parents share the same values or concerns as the government (or Dr. Mehan). It is the role of parents, not the government, to decide when and how their children engage with the Internet.

In the same vein, the Court in ***NetChoice v. Uthmeyer*** rejected the idea that minors are just "mere people-in-waiting," affirming their full participation in democracy as "citizens-in-training." The ruling makes clear that social media access is a constitutional right, and attempts to strip minors of First Amendment protections are nothing more than censorship disguised as "safety."

Conclusion

The rhetoric at this event mirrored the early pages of **Project 2025**, pushing for the outright criminalization of pornography and a fundamental rewrite of Section 230. Speakers wrapped their agenda in the familiar slogan of "protecting the kids," bringing up big right-wing talking points like transgender youth in sports and harping on good old family values—all while advocating for sweeping government control over the Internet.

This movement is not about safety. It is about power. It seeks to dictate who can speak, what information is accessible, and whose identities are deemed acceptable online. The push for broad government oversight and censorship undercuts constitutional protections not just for adults, but for minors seeking autonomy in

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Damn, district judges are really getting sick of shadow docket fuckery

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digital spaces. These policies could strip LGBTQ youth in restrictive households of the only communities where they feel safe, understood, and free to exist as themselves.

This campaign is insidious. If successful, it won't just reshape the Internet. It will undermine free speech, strip digital anonymity and force every American to comply with a singular, state-approved version of "family values."

The First Amendment exists to prevent exactly this kind of authoritarian overreach. The FTC should remember that.

Elizabeth Grossman is a first-year law student at the University of Akron School of Law in the Intellectual Property program and with a goal of working in tech policy.

Prof. Jess Miers' Comments

Elizabeth's summary makes it painfully clear: this wasn't a serious workshop run by credible experts in technology law or policy. The title alone, "How Big Tech Firms Exploit Children and Hurt Families," telegraphed the FTC's predetermined stance and signaled a disinterest in genuine academic inquiry. More tellingly, the invocation of "families" serves as a dog whistle, gesturing toward the narrow, heteronormative ideals typically championed by the religious Right: white, patriarchal, Christian, and straight. The FTC may not say the quiet part out loud, but it doesn't have to.

Worse still, most of the **invited speakers** weren't experts in the topics they were pontificating on. At best, they're activists. At worst, they're ideologues—people with deeply partisan agendas who have no business advising a federal agency, let alone shaping national tech policy.

Just a few additional observations from me.

Chair Ferguson opened by claiming the Internet was a "fundamentally different place" 25 years ago, reminiscing about AOL Instant Messenger, Myspace Tom, and using a family computer his parents could monitor. The implication: the Internet was safer back then, and parents had more control. As someone who also grew up in that era, I can't relate.

I, too, had a family computer in the living room and tech-savvy parents. It didn't stop me from stumbling into adult AOL chatrooms, graphic porn, or violent videos, often unintentionally. I remember the pings of AIM just as vividly as the cyberbullying on Myspace and anonymous cruelty on Formspring. Parental controls were flimsy, easy to bypass, and rarely effective. My parents tried, but the tools of the time simply weren't up to the task. The battle over my Internet use was constant, and my experience was hardly unique.

Still, even then, the Internet offered real value, especially for a queer kid who moved often and struggled to make "IRL" friends. But it also forced me to grow up fast in ways today's youth are better shielded from. Parents now have far more effective tools to manage what their kids see and who they interact with. And **online services have a robust toolbox for handling harmful content**, not just because advertisers demand it, but thanks to Section 230, a uniquely forward-thinking law that encourages cleanup efforts. It built safety into the system before "trust and safety" became a buzzword. Contrary to Mark Meador's baseless claims, **that result was *precisely* its authors' intent.**

A more serious conversation would focus on what we've learned and how the FTC can build on that progress to support a safer Internet for everyone, rather than undermining it.

That aside, what baffles me most about these "protect the kids" conversations, which almost always turn out to be about restricting adults' access to disfavored content, is how the supposed solution is more surveillance of children. The very services the FTC loves to criticize are being told to collect more sensitive information about minors—biometrics, ID verification, detailed behavioral tracking—to keep them "safe." But as Eric Goldman and many other scholars who were notably absent from the workshop **have extensively documented**, there is no current method of age verification that doesn't come at the expense of privacy, security, and anonymity for both youth and adults.

A discussion that ignores these documented harms, that fails to engage with the actual expert consensus around digital safety and privacy, is not a serious discussion about protecting kids.

Which is why I find it especially troubling that **groups positioning themselves as privacy champions are treating this workshop as credible.** In particular, IAPP's suggestion that the FTC laid the groundwork for "improving" youth safety online is deeply disappointing. Even setting aside the numerous privacy issues associated with age verification, does the IAPP really believe that a digital ecosystem shaped by the ideological goals of these panelists will be an improvement for kids, especially those most in need of support? For queer youth, for kids in intolerant households, for those seeking information about reproductive health or gender-affirming care?

This workshop made the FTC's agenda unmistakable. They're not pursuing a safer Internet for kids. As Elizabeth said, the FTC is pushing a Christian nationalist vision of the web, built on censorship and surveillance, with children as the excuse and the collateral.

Just as the **playbook** commands.

More

Jess Miers is an Assistant Professor of Law at the University of Akron School of Law

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Pseudonymous Coward June 17, 2025 at 4:37 pm

You already know any evidence of LGBT people existing would be declared Evil Pornography if it's a route to denying First Amendment protections.

Any takers on what else will be classed Pornography under that scheme?

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[2]

Stephen T. Stone (profile) June 17, 2025 at 5:51 pm

Re:

Interracial relationships, sexual education, discussions of the problems inherent with capitalism and the hoarding of wealth, discussions of police brutality and the state monopoly on violence…

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[3]

Anonymous Coward June 19, 2025 at 6:19 am

Re: Re:

A non-exhaustive list, amirite?

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[4]

Stephen T. Stone (profile) June 19, 2025 at 4:37 pm

Re: Re: Re:

People who solve problems with hammers will always find something to treat as a nail.

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Tdestroyer209 June 17, 2025 at 4:39 pm

FTC workshop was more of a screwed up convention for fake advocates pushing for bs

The FTC workshop was full of fake “advocates” like FairPlay pushing for “think of the children” crap like KOSA and age verification and had Marsha Blackburn as one of their speakers.

Basically it was a screwed up convention for the fake advocates and groups to get their rocks off acting like they care about children which of course they don’t while promoting their unconstitutional bullshit.

It made me disgusted reading about what happened at that workshop.

Miers did a great job calling out the FTC workshop as it was as I expected aka total BULLSHIT.

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Anonymous Coward June 17, 2025 at 5:10 pm

… But the FTC ‘experts’ fundamentally exist as ‘Regulators’ because private businesses are deemed incapable of fully operating in the public interest.

If one distrusts FTC judgement, then one is logically forced to reconsider the very concept of FTC existence.

Who regulates the regulators ?

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[2]

Pseudonymous Coward June 17, 2025 at 6:21 pm

Re:

I mean, does the existence of waterboarding and drowning mean that water is evil?

That someone uses a thing for evil does not in itself make the thing evil.

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[2]

Anonymous Coward June 18, 2025 at 1:58 pm

Re:

All you have to do is stop putting political appointees in charge and let the lifetime experts handle shit.

You conservatives and libertarians will always attempt to co-opt or destroy regulation for self-serving agendas. Arguing destruction or co-option as the alternative when the other is in play is some hilarious bad faith. Since both are in play at the same time, along with utter lawlessness, this JAQing off here isn't even mildly amusing.

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Anonymous Coward June 17, 2025 at 5:44 pm

Euh. That IAPP article is fully disturbing, aside from the commentary on ed-tech. Which is actually antithetical to the commentary on all the other things.

They mention also "empowering parents", which is not actually what any of the attempted regulation does.

Extra points for "foul swoop". That was a very relevant re-engineering of the phrase.

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[2]

Anonymous Coward June 18, 2025 at 2:00 pm

Re:

Holy cow, i did not mean for that markdown to happen.

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Anonymous Coward June 17, 2025 at 6:54 pm

I hate these fucking shitheads.

But what I hate more is that they will have their way, democrat support and all.

And it's worldwide, too.
What the fuck was the point of the internet if they're just going to strip it away from us.

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buttwipinglord (profile) June 17, 2025 at 7:12 pm

INSIDER

Christo fascists: How dare you try to make laws that force platforms to police or tell how they deal with hate speech, disinformation,etc! (Which could lead to actually helping some kids)

Also Christo Fascists: the entire internet must follow whatever arbitrary, bigoted, censorus rules we make up and be policed as such!

Wish these people would just fuck off already.

Don't like social media? You have the right to parent how you like including more control than ever compared to "25 years ago" as to what your kids have access to. You actually have to fucking put in the work and be an actual parent though. The Internet is the 90s/early 00s was a lot worse than they seem to think. That's just my experience from being a kid at the time with parents who were not tech savvy. And there is no excuse anymore for modern parents born after 1980 to not know how to police your kid's internet usage.

Don't like porn? Then don't watch porn. But we all know straight Christo fascist fucks love porn.

Same with everything else. Like if you think being gay or trans is an affront to whatever mythological being you believe in. Then don't be that and shut the fuck up. It doesn't affect you it's not your life. I used to have the same arguments with my super religious brother. They are so thoroughly brainwashed.

And in fact yesterday, after being assaulted by reciting bible verses by someone whom we had to explain we have to follow the law and especially HIPAA when it comes to disclosing information to even people themselves if they don't have any form of government identification. I had to say "HEY, just to be clear. The BIBLE is not the law!"

Fuckin hell.

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Uriel-238 (profile) June 17, 2025 at 9:25 pm

There are a lot of threats to children and families

The first ones that come to mind our car-dominated transit system (which allows for high rates of accidents) and poverty / precarity, and our curious disinterest in making sure children are fed and get healthcare.

Once every child has a home, a consistent (and non-dysfunctional) family, three squares a day plus snacks and an actual education based on facts and data, *then* we can start looking at what other things may be corrupting our wee ones.

Until then, our society is so severe that I forgive everyone, kids included, of their copes, whether social media or video games or three spliffs a day or heavy narcotics.

The world is that terrible that touching grass is not enough. Heck, we may soon be running out of grass to touch.

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Arianity (profile) June 18, 2025 at 3:00 am

> *Yes, teens will test boundaries, as they always have, but that doesn't eliminate their constitutional rights*

It doesn't, but it does make "In practice, inappropriate outputs from chatbots like those on Character.AI generally occur only when users..." essentially moot. And that's not getting into chatbots that are explicitly designed (and advertised) for sexual content, particularly from smaller or less regulated sites. To say nothing of deepfake apps and the like.

And even more mainstream platforms like Facebook are not doing so great with **guardrails**. (This is probably where the Elsa reference came from, after going through the telephone game)

> *minors have a protected right to access legal expressive content. Then, it was video games. Today, it's chatbots.*

You have to be very careful with that comparison. Sexual/obscene content is one of the few limitations on children accessing speech that has been upheld. Not to the point of age verification laws, but not unfettered, either.

> *But it also forced me to grow up fast in ways today's youth are better shielded from. Parents now have far more effective tools to manage what their kids see and who they interact with.*

While the tools have gotten better, I'm not sure parents (particularly ones who aren't tech-savvy) have gotten much better at applying them. The fact that your parents even tried puts them ahead of the curve. It's arguably one of the biggest problems in children focused content moderation- most of this would be better suited to be done by parents, but no one seems to have come up with a really effective way of making sure parents can actually do so in practice.

Anecdotally, I would say it's easier to actually stumble into adult content than in the past, given sites like Reddit, Instagram, Twitter, or Twitch, etc. Not that the past was particularly well guarded, but there are more spaces where kid appropriate and kid inappropriate content are mixed.

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[2]

Anonymous Coward June 18, 2025 at 2:04 pm

Re:

You can still get your child a dumb phone. Perfect for not tech-savvy parents. (I.e., those who will not invest a little time in order to do the thing they spend lots of time and money and votes to get a state to do. Stated with the knowledge that the state and capitalism both don't want anyone to have time or mind left to do anything but make billionaires richer.)

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Kinetic Gothic June 18, 2025 at 4:00 am

Be Carefull what you wish for..

They should be careful about what they declare unprotected by the First Amendment.

Oh so many things they claim are their freedoms, to enjoy, can be cut to ribbons under the same "Save the Children/The founders never intended to protect that" rubric….

Their pet nazis,professional slanderers , and quacks are just the low hanging fruit..

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Anonymous Coward June 18, 2025 at 11:17 am

Just wanted to say the article is an excellent read. Glad to see something like it up on the site.

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Anonymous Coward June 20, 2025 at 7:54 am

The chatbot thing feels very overblown for what it actually is. Is it that uniquely bad just because it's some new LLM technology? I'm having a hard time grasping that.

I think that LLMs also suffer from technological limitations, and that probably users should understand that when they go to use them, but that in and of itself doesn't make it uniquely awful here.

It feels like a few of the people who'd criticize chatbots here are also people who'd question whether training is copyright infringement, but that would mean what they really have an issue with is that, and not whether it's generating sexual text.

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Number Guy (profile) June 23, 2025 at 12:26 am

The statement suggests that the Federal Trade Commission (FTC) may be portraying the internet as a threat to the traditional American family. However, without additional context or details, it is unclear whether this is an accurate representation of the FTC's stance or simply an interpretation. The FTC generally focuses on consumer protection, privacy, and combating deceptive practices online, but it does not explicitly label the internet as an "enemy."

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The Writer (profile) June 25, 2025 at 12:18 pm

How to Choose the Best Baby Cream in India for Daily Use

Your baby's skin is delicate, soft, and highly sensitive — which is why it needs extra care, especially in India's varied weather conditions. From the dry winters of North India to the humid monsoons in the South, your baby's skin can face dryness, irritation, or even rashes. The solution? A safe, nourishing, and gentle daily cream.

But with so many brands claiming to be the best baby cream in India, how do you actually choose one that works? In this guide, we'll help you understand what to look for, what to avoid, and where you can find trusted, high-quality options.

Why Your Baby Needs a Moisturizing Cream
Baby skin loses moisture faster than adult skin and is more vulnerable to environmental damage. Using a baby cream daily helps:

Lock in moisture

Prevent dryness and flakiness

Soothe minor irritations

Protect from changing weather conditions

Maintain overall softness and hydration

A good baby cream becomes part of your everyday skincare routine — especially after bathing or diaper changes.

What to Look for in the Best Baby Creams
Not all baby creams are created equal. Here's what parents in India should consider:

✅ Natural and Safe Ingredients
Look for plant-based ingredients like shea butter, cocoa butter, almond oil, aloe vera, or calendula. These are known for their moisturizing and soothing properties.

✅ Free from Harsh Chemicals
Avoid creams that include parabens, mineral oils, synthetic fragrances, alcohol, or artificial colors — these can irritate sensitive skin.

✅ Dermatologically Tested
Choose creams that are tested by pediatricians or dermatologists, especially if your baby has extra-sensitive skin or eczema.

✅ Suited for Indian Climate
Opt for lightweight creams in warmer regions and richer, thicker formulas during colder seasons.

Top Recommendation: Where to Find Safe Baby Creams Online
If you're looking for a reliable place to shop for top-quality baby cream in India kidscompany.co.in is one of the best platforms.

They offer:

Handpicked, premium baby skincare brands

Organic and non-toxic ingredients

Options for different skin types and age groups

Easy-to-read labels and ingredient transparency

Their selection includes creams that are specially formulated for Indian babies and suited for both summer and winter use.

Common Skin Concerns Creams Can Help With
Dry patches on cheeks, knees, or elbows

Redness or irritation from drooling

Rashes due to changing diapers or heat

Mild eczema or sensitive skin flare-ups

Applying a gentle cream regularly helps restore moisture and prevents future skin issues — something every parent wants.

Tips for Using Baby Cream the Right Way
Use right after a bath while the skin is slightly damp

Apply gently in circular motions

Don't use on broken or infected skin

Patch test a new cream on a small area first

Final Thoughts
Your baby deserves skincare that's as pure and gentle as your love. Choosing the best baby cream in India means finding a formula that protects without harsh chemicals, hydrates without heaviness, and soothes without side effects.

With premium platforms like KidsCompany, finding that perfect cream is easier than ever. Their range of trusted, baby-safe products makes sure your little one stays comfortable, soft, and smiling — every single day.

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